G. R. S. App. F. IX-4]

1943 -4

File No. 17-43

Previous References.
Mussaf 119-32- (1-5) (11-12)
125- 33-1
300- 34-1.
263- 32-7.

(Legislature)

Serial Nos. 1

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part A for August 1943

SUBJECT.

Removal of Civil Disabilities Act

XLII of 1943

Issued No. R.L. 193, dated the 16th August 1943

Notifies that the above Act has received the assent of H.A. on 28.7.1943.

Mysore Untouchability Bill — Mr. L. S. Raja

37/R

nd Revenue ecretariat | File No. | of 194 | [App. F. III-2

Serial No.

From

Mr. L. S. Raja, Member Legislative Council

Leg Lo. dated 12th July 1941

forwards the Mysore Untouchability abolition Bill for the permission of the Dewan to place it before the R.A.

This Member had sent an identical Bill sometime ago and had requested that the permission of the Dewan might be obtained to place it before the R.A. The Bill was considered by the administration section and the permission sought for was refused.

2 The present Bill will also be sent to the administration section for consideration before submitting the file to the Dewan.

3 The Bill has been submitted in time and is accompanied by the necessary statements.

Sd. 21/9/41

R 320

(Law Secy)

4 Hon 21/7/41

Sd. 21/7

(Asst Secy Rev Bor W/c)

5 For order if the permission may be refused or the Bill should then be submitted & placed before the R.A.

Sd. 21/7

Sec,

6 The permission asked for may be refused.

Minister for F & R & Dewan

Please bring up for 23.7

Sd. 22/7/41

Sd. 23.7

Sd. 23/7

BGH. & REV. SECRETARIAT 21 JULY 1941 BANGALORE

GENL. & REV. SECRETARIAT 22 JUL. 1941 105 MUZRAI BRANCH

GENERAL SECRETARIAT 22 JULY 1941 373

OFFICE OF THE MINISTER FOR FINANCE & REVENUE 22 JULY 1941 No 473

703/p64

File No. of 194 | General and Revenue Secretariat

Serial No.

for favour of remarks as to the effect the Bill would have if passed into law on the question of

Yours sincerely,

[illegible]

[illegible]

[illegible]

Law 37 of 41

5th August 1941

"If this Bill is passed, then the "Untouchable" will have every right to enter any temple in the State, & if he is obstructed by the trustees of the Temple, then he can file a suit to establish his rights & entry, & the Court will have to pass a decree in his favour, as custom, will not operate as valid defence in the case. Suppose a decree is passed in favour of the Untouchable. Even then the trustees of the Temple can defy the order of the Court, & prevent the Untouchable from entering the Temple. The Court will find great difficulty in enforcing its decree – & if force is to be used there is a likelihood of a breach of the peace. Hence the Court may be helpless to enforce its decree, & the result is, that the Untouchable practically gets no relief, by the passing of this Bill into Law.

Such a piece of legislation, is for all practical purposes useless. No doubt, it has one value, & that is, that in the eyes of a Court of Law or of Equity

Serial No.

"Untouchability" is ~~legally~~ legally non-existent & the fact may accelerate public opinion in favour of ~~not~~ non-recognition "Untouchability" as such, so far as temple entry is concerned. But if public opinion is strongly against "Untouchables" entering temples, then it is not desirable to pass such a legislation as it would ~~have consequences~~ directly lead to serious trouble.

Law Secretary) 3 7/8/41

DEPT. OFFICE 1941 No. 1190

DEPT. 8 AUG. 1941 GOVT OF MYSORE

AUG 1941 581

11) By the passing of this Bill into Law, no untouchable can be prevented from entering any public temple including Muzari Institutions.

Hm 9/8/41

12) Bot Secy Muzrai ~~Dept~~ 3 9/8/41

Secy) 13) Hm 9/8/41

Minister for R 14) 9/8/41

15) No permission asked for may be refused.

11.8.41

Submitted with a circulation Memo Sd 13/8/41

Dewan) 16) I agree May be ~~discussed at the Council~~ submitted to H.H. after circulation. 12/8/41

12/8/41

Chief Sec

NOTE—Contn. Sheet.

For Disposal by Circulation.

No. C. | 28

of 1941-42

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to refuse permission to Mr. L. S. Raju, Member of Legislative Council, to place before the Representative Assembly the Untouchability Abolition Bill.

Circulated to the Council of Ministers.

By Order,

Chief Secretary to Government.

13th August 1941.

Minister for Finance and Revenue. (Seen)

1492/13.8.41 **Minister for Law.** 13-8-41

1274/14.8.41 **Minister for Education.** 15.8.41

964/16-8-41 **Minister for Local Self-Government and Public Health.** 22.8.41

SECY. LAW DEPT. 27 AUG. 1941 GOVT OF MYSORE

Law Secy. with Compliments.

27/8/41

27/8/41

non-Official Bill — The untouchability abolition Bill.

General and Revenue Secretariat R. A. & L. C. | File No. | of 194 37/N | [App. F. III-2

Serial No.

95

SECY. LAW DEPT. 6 SEP. 1941 GOVT OF MYSORE

21
Submitted with a D. S. N
Sec
6.9.41

Secy RA & LC

22
BKR
6.9.41

Law Secy)

23 S. N. submitted

Dewan)

Hm
2
6/9/41.

BKR
9.9.41

NOTE—Contn. Sheet.

WD 01925—GPB—1,000—4-3-41

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to refuse permission to Mr. L.S. Raju, Member, Legislative Council, to place before the Representative Assembly at its next session the Untouchability Abolition Bill.

Order.

C. 1238/ Enc. Govt. file No. 191, Dated 9.9.41.

Vasantha Mahal,
Mysore,
12th September 1941.

My dear Madhava Rau,

26) In returning herewith your file No. 191, dated the 9th instant, on the subject of Mr L.S. Raju's Untouchability Abolition Bill, I am desired to ask you whether your proposed refusal of permission to introduce the Bill might not have the effect of giving the Congress the one thing they most desire, that is, an apparently legitimate grievance against the Government.

27) The reasons why the previous sanction of the Dewan to the introduction of Private Members' Bills is required are given in paragraph 131 of the Report of the Committee on Constitutional Reform, 1939, which concludes with the statement that "it is presumed that such permission would be granted, unless in the "Dewan's opinion the discussion of the Bill is detrimental to public interest"

28) With reference to this point, the Government have declared that their attitude is one of sympathetic neutrality. When the matter was discussed at length in 1933, Mr Rajagopalachari stated.- "Certain non-official members of "the Legislative Council had given notice of private Bills relating to this "question, and they would come up for discussion in course of time. And how "the Bills would be disposed of depended more upon the Council and the Assembly "than upon the Government."

29) In the same year a deputation to the Dewan was informed that the subject matter of the Bill was of such moment that its consideration could not be rushed and that the fullest publicity and scope should be given for the expression of public opinion. It was added that the Representative Assembly and the Legislative Council would soon be reconstituted and that there was no object in bringing the matter before the last session of the then existing House.

30) It would appear in these circumstances that a refusal to allow the introduction of the Bill into the present Council would involve to some extent going back on the previous statements made in this connection.

31) Meanwhile I am surprised to find, on looking at the Legislative Counc Rules, that the rule which provided for publication as an alternative to a motion for leave to introduce has disappeared, but I take it that, even if the motion is introduced, there remain numerous ways by which the Bill could be

sidetracked.

3?) At the same time it would seem to be worth while to have the possible results of the two alternative courses further examined. The result of refusal of permission would probably be to unite the Congress and Harijans and all reformers of every class in an attack on the Government for stifling discussion of a reform, the desirability of which is generally admitted. The effect of the passing of the Bill would be to render illegal in advance certain decisions which the courts in Mysore have not yet recorded. The practical question seems to be whether the Congress would be prepared to render themselves unpopular with the rest of the caste community by forcing the entry of Harijans into temples. I don't think this would have for them half the attraction that would attach to the stirring up of feeling against the Government for a so-called stifling of discussion of reform.

Yours sincerely,

G. Rodrunet

BNR

1951

Serial No.

33) D.O. Letter No 1238 dated 12th Septr 1941 received from Sir Charles Todhunter is kept in the file. I shall send him a reply shortly

34) Meanwhile, we may ask Mr Raju if he is prepared to modify the bill and confine its scope to the ~~removal~~ access of depressed classes to streams, wells & secular institutions. Raju says that there is no intention of interfering directly with any social or religious institution and his bill is modelled partly on Act XXI of 1938 which Madras removed the disabilities of Harijans only in respect of secular institutions. A draft letter may please be put up through the Minister for Finance & Revenue

DLL
15/9/41

Hm
2
16/9/41.
BKR
16.9.41

35) A draft reply as instructed above is put up.

Sdn
16.9.41

Secy RA &c) 36

BKR
16.9.41

Law Secy

SECY. LAW DEPT. 15 SEP. 1941 GOVT OF MYSORE

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-9-37

Non-Official bill - Unstarred question

File No. 34/iii of 193

General and Revenue Secretariat

1600

2413

May be approved

Minister for Fin Hlds.)
&
Dewan)

Hm 2 16/9/41

P.A 18.9.41

Hm 2 19/9/41

DEW[illegible]'S OFFICE
NO M 441

DEWAN'S MINUTE.

FILE No. 194

Note on the proposed refusal of permission for the introduction of Mr. L.S.Raju's Untouchability Abolition Bill.

=====

The view of Government with regard to this bill is that in the form in which it has been framed at present permission to introduce it into the legislature has to be refused.

It is quite possible that the Congress will try to foster a sense of grievance against Government if permission is refused for the introduction of this bill. But what are the alternatives open and what will be the position supposing the bill is permitted to be introduced and discussed and - as is conceivable - is passed ? In British India there are three methods of dealing with bills of a controversial nature. The first is that the Governor-General or the Governor as the case may be, may withhold his assent from a bill passed by the Chambers. The second is that the Governor may, in the case of a Provincial legislature, reserve a bill for the consideration of the Governor-General, or in the case of the Federal Legislature, the Governor-General may reserve a bill for the signification of His Majesty's pleasure. The third method of dealing with a bill passed by the Chambers is concerned with the exercise of the discretion vested in the Governor-General and the Governor of returning it for reconsideration (vide sections 32 and 75 of the Government of India Act, 1935).

There is no provision in our own Constitution which is analogous to that in the Government of India Act which vests in the Governor and Governor-General the discretion to remit a bill or any provision thereof for reconsideration or to suggest modifications for the consideration of the Legislature. Under the Government of Mysore Act, 1940, the only method open, unless the Dewan chooses to act under the first proviso to Section 27

by refusing sanction to the introduction of a non-official bill, is for His Highness the Maharaja to refuse assent under Section 28 to a bill already passed by the Legislature. It would be highly undesirable and inexpedient to allow a situation to arise in which the Sovereign is brought into the picture particularly when a bill of the kind in question is involved. A large number of the members of the Committee on Constitutional Reform, though they were in a minority of seven to nine, were of opinion "that it is undesirable that the name of His Highness the Maharaja should be drawn within the range of controversy in such matters (that is, matters relating to the religious rights or usages of any class of His Highness's subjects). They consider that the sanction of the Dewan ought to be quite sufficient for the purposes intended, as no Dewan, whatever his religious persuasion might be, when approached with a proposal which is likely to cause unrest in the minds of any religious community would give or withhold sanction to it except with the previous knowledge and permission of the Ruler" (vide paragraph 135 of the Report of the Committee on Constitutional Reform) Section 27 of the Government of Mysore Act is based on an acceptance of this view in preference to that expressed by the rest of the Committee or the majority view "that the sanction required should be that of His Highness" (vide paragraph 135 of the Report).

Now, the refusal of assent by His Highness the Maharaja to any such bill which the Dewan has permitted to be introduced and which the Legislature has passed after discussion, will have the same effect as the one which was intended to be avoided by the acceptance and adoption of the minority view. It would be far better that the responsibility of disallowing the introduction of private members' bills was allowed to rest on the Dewan and that his actions were criticised, if criticism there should be, than that the Sovereign's actions should be brought within the region of public controversy.

Apart from this consideration, there is also the necessity for preventing interference with the legislative policy of Government. "The previous sanction of the Dewan should however be made a condition precedent to the bringing in of such bills" - the Committee on Constitutional Reform observe in paragraph 131 of their Report - "with a view to avoiding the possibility of the legislative policy of the Government being nullified by private bills".

The Committee have, no doubt, expressed the view that the grant of permission by the Dewan for the introduction of a private member's bill may be presumed "unless in the Dewan's opinion the discussion of the bill is detrimental to public interest" The question is whether the very discussion of a bill like the Untouchability Abolition Bill could be considered to be "detrimental to public interest". The refusal of opportunity to discuss a bill of this nature need not be regarded as a matter of very exceptional procedure. The Government of India Act contains provisions designed to restrict discussion in the legislature in the case of certain classes of bills. Sections 40 and 86 of the Act provide that if the Governor-General or Governor, as the case may be, in his discretion certifies that the discussion of a bill introduced or proposed to be introduced in the Federal or Provincial legislature would affect the discharge of his special responsibility for the prevention of any grave menace to the peace or tranquility of India as a whole or any Province, he may, in his discretion, direct that no proceedings shall be taken in relation to that bill. In the course of the discussion in the Joint Parliamentary Committee on Section 40 of the Act, the Solicitor-General answered the question whether the mere discussion of a bill would jeopardise public peace and tranquility.

46 " Is the discussion of a bill in the Assembly a matter which constitute or cause a menace to peace and tranquility, be-

cause

DEWAN'S MINUTE.

FILE No. 194

The cut motion referred to was in the following terms:-

" The demand for Rs 3,53,000 be reduced by Re. 1 to invite the attention of the Government for the injustice of not permitting the Harijans to enter the Muzrai temples and to appoint, if need be, a committee to ascertain public opinion on the same. "

This motion was opposed by Government but was passed by a majority, 36 voting for, and 22 against.

5 The best course now would seem to be to appoint a committee to ascertain public opinion on the question of untouchability, including temple entry and withhold or refuse sanction to the introduction of the bill pending the receipt of the committee's report. From a constitutional point of view this would be a perfectly legitimate course. It is needless to repeat that the Dewan's power of giving sanction to the introduction of bills under our Act takes the place of several alternative powers (short of veto) vested in the Governors in British India to hold up or rectify hasty attempts at legislation. This power can and should be used not only for the purpose of preventing discussions which may be detrimental to public interests, but also to ensure that the legislative policy of Government is not nullified and that the religious rights and usages of any section of the people are not assailed by attempts at private legislation.

28/9/41

Nor Official Bills - Mr Raja's Untouchability Abolition Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 268 of 194

App. F. III

DEWAN'S OFFICE

2694

Serial No.	
	From
	L. S. Raja Ma. (Hons) Member Legislative Council.
	No leg. 28 dated 25.9.41
	re his Untouchability Abolition Bill.
52)	The main file has been submitted to the Dewan.
	Mr. Raja was asked whether he would restrict the operation of his Bill on the lines of the Madras Removal of Civil Disabilities Act (XXI of 1938).
53)	Mr. Raja has now stated that he is prepared to modify the Bill as suggested.
	A copy of the Madras Act is put up.
54	Submitted for perusal and orders.
	Secy 27.9.41
	Secy (A+Ac) 55
	BKR 27.9.41
	Law Secy)
	For perusal 56
	Dewan) Hm 28/9/41
	BKR 28.9.41
57	To be circulated
	Hm 28/9/41
58	For favour of Circulation
	Hm 28/9/41
	BKR 28-9-41
	Chief Secy)

SECY. LAW DEPT. 28 SEP. 1941 GOVT OF MYSORE

Submitted with a circulation memo.
28/9/41
Signed JMS
3079

NOTE—Contn. Sheet.

File No. of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Submitted

The attached file regarding the Untouchability Abolition Bill is submitted to the Chief Secretary for favour of necessary action in accordance with the decisions in Minutes.

(The file contains a noted cover)

(The main file was sent to the Law Secretary a fortnight ago)

Sd/- [illegible]
3/10/41
Private Secretary to the Dewan.

DEWAN'S OFFICE
3. OCT. 1941
NO. M. 455
Encl.

C.B.
4.10.41

For Disposal by Circulation.

No. C 965

of 1941-42.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Permission for the introduction of the Untouchability Abolition Bill in the Representative Assembly.

Circulated to the Council of Ministers.

By Order,

29th September 1941

Chief Secretary to Government.

1900/1.10.41 **Minister for Finance and Revenue.** 59 1.10.41

3201/1/10/41 **Minister for Law** 60 Matter discussed in Council, as the Dewan's minute of 28.9.41 in the limited file does not take note of the L.S. Papers 1-10-41 present reply.

2063/2.10.41 **Minister for Education.** 61 2.10.41

Minister for Local Self-Government and Public Health. 62 3.10.41

Submd. to Dewan.) 63 4.10.41

64 5/10/41

65

66

Jc 265

C 292

Serial No.

67 D.O. letter No.C.1534 dated the 1st Oct. 41 from the Private Secretary to H.H. regarding the untouchability Abolition Bill.

(68) Dewan's orders on P.U.D:-

These papers may be circulated to the Ministers.

Ind./ N.M. 2/10/41.

69

Fin. & Rev. Minister

70 8.10

Law Minister.

71 8-10-41

2159 8.10.41 Edn. Minister.

2149 9-10-41 Minister for L.S.G. & Public Health.

72 73

12.10.41

Law Secretary with compliments.

13/10/41.

(74) 14.10.41

14.10.41

(75) Reference is invited to para 5 of the Dewan's minute dated 28.9.41 regarding the appointment of a Committee to ascertain public opinion on the question of untouchability including temple entry.

(76) Reference is invited to paragraph 6 of the Law Minister's minute that the matter may be discussed in Council.

(77) Mr. L.S.Rajan's letter agreeing to modify the Bill as suggested is also for consideration.

(78) Submitted for orders

15.10.41

Law Secy)

(79) The appointment of the Committee

NOTE—Contn. Sheet.

OFFICE OF THE MINISTER FOR LAW
OCT 8 1941
No 3404

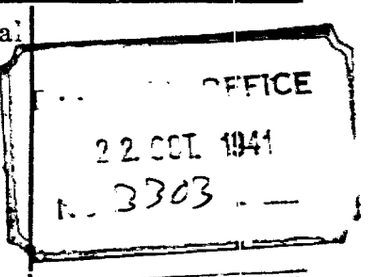
OFFICE OF THE MINISTER FOR FINANCE & REVENUE
7 OCT 1941
No 2054

Mr. Raju's — Unstandability Abolition Bill.

File No. 336/42 of 194

General and Revenue Secretariat

Serial No.



may be awaited thereafter this question may be taken up.

Minister for Law & Revenue) Hm 2 17/10/41 Rom 17.10.41

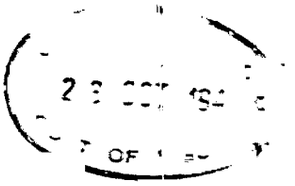
(80) Refer:— paras 66 & 66.

Hm 20-10-41

(81) May be considered at the next meeting of the Council

Hm 21/10/41

(82) Chief Secy Mc) Hm 2 22/10/41 Rom 22.10.41



(83) CB. Hm 23.10.41

The Untouchability abolition Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 336/41 of 194

App. F. III-2

Serial No.	
B	(86) A draft Bill on the lines of the Madras Removal of Civil Disabilities Act, 1938 is put up. A & SN is also put up 5.11.41 Law Secy.)
	(87) Dewan) 6.11.41 6.11.41

SECY. LAW DEPT. 6 NOV. 1941 GOVT. OF MYSORE

DEWAN'S OFFICE 6. NOV. 1941 NO 3779

NOTE—Contn. Sheet.

Submitted to His Highness.

(88) On the 8th September 1941, I submitted for His Highness's gracious perusal the papers relating to a non-official bill entitled "The Mysore Untouchability Bill" for the introduction of which Mr. L.S. Raju, Member, Legislative Council, had sought permission.

(89) The view of the Government then was that in the form in which it was framed, permission to introduce the bill into the Legislature should be refused.

(90) I suggested later that Mr. Raju be asked if he was prepared to modify his bill and confine its scope to the removal of disabilities in respect of wells, tanks, etc., and secular institutions on the lines of the Madras Removal of Civil Disabilities Act, 1938.

(91) Mr. Raju has now stated in reply that he is prepared to modify the bill as suggested.

(92) The matter was discussed at a meeting of the Council of Ministers held on the 27th October 1941 and the opinion of the Council was that Mr. Raju may be allowed to introduce the bill with the modification that has been suggested.

(93) The papers are submitted for His Highness's gracious information.

N. Madhava Rau

DEWAN.

Bangalore,
6th November 1941.

Record of Cases submitted for the Orders of His Highness the Maharaja.

(94)

Subject.

Proposal to permit Mr. L.S. Raju, Member, Legislative Council, to introduce a bill to provide for the removal of civil disabilities among certain classes of Hindus.

Order.

(95)

11/11/41.

No. 336

(96)

17.11.41

C 265 J29 v

General and Revenue

Secretariat.

SUBJECT :—

(97) Proposal to permit Mr. L. S. Raja, Member L. C., to introduce a bill to provide for the removal of civil disabilities among certain classes of Hindus

(98) Circulated to Council of Ministers for perusal of His Highness' orders ~~before/after issue of orders~~. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

(99) Through the Secretary to Government,

.....~~Law~~....Department. 18.11.41.

(100) 2853 / 18.11.41 Minister for Finance and Revenue. 18.11.

(101) 4977 / 18/11 Minister for Law. 18.11.41

(102) 2820 / 19.11.41 Minister for Education. 19.11.41

(103) 2985 / 19-11-41 Minister for Local Self-Govt. and Public Health. 19.11.41

(104) Law Secy. with Compliments

(105)

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

NOTE.—Contn. sheet

WD 04199—GPB—500—27-9-41

19/11/41

20/11/41

Removal of Civil disabilities bill by Mr L. S. Raju

General and Revenue Secretariat
R. A. & L. C.

L.C. File No. of 1941-42 413/AL App. F. III-2

Serial No.

Letter No Legis 33 dated 14th Nov, 1941, from Mr L. S. Raju, member, Legislative Council, forwarding a draft Civil disabilities removal bill" for Consideration at the next Sessions of the Legislative Council

Secretary

(106) At the suggestion of Govr. Mr L. S. Raju, member, Legislative Council has forwarded a bill for the removal of Civil disabilities in Mysore on the lines of the Madras Civil disabilities removal Act XXI of 1938. I request that the same may be brought for consideration before the next Session of the L.C. The main file contains a similar bill has been worked up & submitted to His Highness for approval. If approved further action on the bill now sent up will be taken after the receipt of the main file with orders

DSR

(107) 17.11.1941 The Bill now sent by Mr Raju is identical with that drafted by this Office on the lines of the Madras Act, on a suggestion of the Law Secretary to Mr Raju and accepted by him. This was on the Untouchability Abolition Bill sent by Mr Raju earlier. That file has been submitted to His Highness and it is when will be awaited before taking further action on this file

17.11.41

(Law Secy)

18.11.41

OFFICE OF THE SECRETARY
18 NOV. 1941
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Sub Bill

25 Nov. 1941

DSR 18-11-41

Note—Contra Sheet.

SECY. LAW DEPT.
18 NOV. 1941
GOVT OF MYSORE

MrD.S.

Removal of Civil Disabilities Bill in
Mr L. S. Raju

File No. 268/413 of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

(108) A draft letter to Mr. L. S. Raju, indicating that the Diwan has accorded sanction under rule 32-2 of the legislative rules, for placing the bill at the next session of the R. A. is put up for approval

DSR

(109) 25.11.41. Reference is invited to Hy of 9th BVN 25/11 Note when permission has been accorded to Mr Raju to introduce a Bill on the lines of the Madras Removal Civil Disabilities Act Mr Raju has himself sent another Bill on the lines of the Madras Act.

(110) The draft put up refers to both the Bills on the same subject and may be approved

DSR 26.11.41

Law Secy)

SECL. LAW DEPT. 27 [illegible] GOVT OF MYSORE

Hm 2 27.11.41.

Issue DSR 27.11.41

L. S. Raju Esq.
M.L.C. Basavanagudi

Issued No RL 1058 dated 28.11.1941
States that the Diwan has been pleased to accord sanction for placing the Civil Disabilities Removal bill at the next session of the RA.

Removal of Civil disabilities Bill

1641/RL ∫ 1064/R

General and Revenue Secretariat R. A. & L. C. | File No. | of 194 | App. F. III-2

Serial No.

Letter No Leg 34 dated 29.11.1941 from Mr L.S. Raju acknowledging the receipt of this office letter No RL 1058 dated 28.11.1941, granting permission to place the Civil disabilities removal bill before the R.A

(120) Submitted for perusal.

DSO 5.12.41 — BKR 5.12.41

(121) BVN 5/12

(122) Communication from the member under rule 33 (a) may be awaited before taking further action

Sec B dtd 3rd Dec 1942 — 6.12.41

(124) For instructions if the Concerned member Mr. Raju L.S. should be addressed in the matter

(123) BKR 6.12.41

Letter No 1 dated 16.4.1942 from Mr L.S. Raju Member Legislative Council, requesting that the Civil disabilities removal bill may be placed for discussion at the next session of the R.A.

DSO 12.1.42 — (125) does not seem necessary as the member may be expected to know the Rule — 12.1.42

(126) BKR 12.1.42

(127) Mr L.S. Raju has requested that the Civil disabilities removal bill may be placed for discussion at the ensuing budget session of the R.A. If approved the bill will be included in the list of business to be transacted at the next

NOTE—Contn. Sheet.

Jew Officials Bill

The Civil disabilities removals Bill

LC File No. 1064/RL of 1941-42

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Session of the R.A.

(128) It is also for orders as to who may be in charge of the bill

DSR 17.4.42 (129) Permission of the Viceroy has been accorded to move [illegible]

BDS 17/4 Reqst for placing the Bill before the R.A. As he is a Member of the Council, the Govt must have to place the Bill before the R.A. at the next following Session at the reqst of the Member. (Rule 33 of the Legislative Rules).

(130) The Member has now made such a reqst.

(131) The Bill will therefore be included in the list of Business for the ensuing session.

(132) The Law Secy may perhaps be in charge of this Bill

[illegible] 17.4.42

Secy R&E)

BDS 17.4.42

(133) Law Secy)

(134) The Law Secy may be in charge of the Bill.

Minister for Law)

[illegible]

Hm 2 17.4.42

BDS 17.4.42

Mr. [illegible]

Hm 21.4.42

APR 21 1942

STATE OF THE [illegible]

APR 20 1942

10890

[illegible] 1926)

[illegible]

Removal of Civil Disabilities Bill

General and Revenue Secretariat
R. A. & L. C.

File No. of 194

App. F. III-2

Serial No.

(136) Mr. Raju may perhaps be instructed that his Bill could not be placed before the R.A. session for want of time.

17.6.42

(137) Secy Rs (L)

22-6-42

23.6.42

(138) Law Secy

26/6

BKR 26.6.42

MR.V.

(139) Draft reply to Mr. L.S. Raju is submitted for approval

24. 25-6-42 BKR 25/6.

25/6/42

Secy Rs (L)

BKR 25.6.42

(140) Issued No 8479 Le dated 26th June 1942

(141) Put up well in time before next R.A.

29.6.42

SECY. LAW DEPT. 53-35 23 JUNE 1942 GOVT OF MYSORE

NOTE—Contn. Sheet

1282 RL

L. S. Raju, M.A. (Hons.), B.L., M.L.C.
ADVOCATE.

Residence:—"SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office:—Kasi Visveswar Temple Lane
CHICKPET,
BANGALORE CITY.

eral and Revenue
Secretariat
R. A. & L. C.

Dated 28th June 1942.

No. Leg.8

To Leg/25.6.42

The Secretary to Government,
Law Department,
Bangalore.

OFFICE OF THE SECRETARY
30 JUNE 1942
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Sir,

Reference:

Your letter No.8479 L.C. dated 26th June 1942 informing me that the "Removal of Civil Disabilities Bill" could not be placed before the R.A. at the recent Budget Session in June 1942 for want of time.

In thanking you for the above letter I write to state that I shall be glad if the Government introduce the same in at the next Session of the Representative Assembly, and I request them accordingly.

Yours faithfully,

Member,
Legislative Council.

(143)
The R. U. D. Sheet
has been pasted
on the next sheet

(142)
Letter from M.L.S. Raju, requesting that the Removal of Civil Disabilities Bill may be introduced at the next Session of the R.A.
Submitted for perusal

30.6.42

(144) The Permanent Dewan having been accorded to this Bill, it will be placed before the R.A. at its next Session. It was included in the

Removal of Civil Disabilities Bill

Continuation Sheet. File No. / Current No. of 37/RL Page.

list of business for the last session but could not be taken up for want of time.

SDS
1.7.42

T.V.
Mr [redacted]

Secy
RA to C

(145)

BKR
1.7.42

SDS
1.7.42

The removal of Civil Disabilities Bill by Mr L. S. Raju

General and Revenue Secretariat — RA File No. 37/42 of 1941-42 — [App. F. III—2

Serial No.	
	Sa 0/0
(146)	The Civil disabilities removal bill sponsored by Mr L. S. Raju, was placed for consideration at the recent Bassora session of the R.A (Oct. 42) & the Principles of the same were approved by the Chamber. Standing order 29 of the R. A. Standing Order requires that the opinion of the Assembly in respect of every non-official bill shd be communicated to the sponsor of the bile.
(147)	A draft letter accordingly is put up for appl.
	DSR
(148)	31.10.42 31.10.42 Done today 31.10.42
	Issued NO RL 2392 dated 31.10.42.
	Letter dated 28.10.42 from Mr L. S. Raju, member, L.C. requesting that the Civil Disabilities bill which was appd at the recent Session of the R. A. may be laid by Govt on the table of the next session of the L.C.
(149)	The Civil disabilities removal bill, sponsored by Mr L. S. Raju, member, L.C. was placed for consideration at the recent session of the R.A. & the same was appd by the Chamber, The Member has now requested

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Civil Disabilities Removal Bill

87 : A.18

File No. | of 194 | General and Revenue Secretariat

Serial No.

that his bill may be laid on the table at the next session of the L.C. as required under rule 35(1) of the Legislative rules, 1941

Submitted for orders.

DSR
2.11.42.

3588

(150) As required by rule 35 of the Mysore Legislative Rules, Government have to lay on the table of the Council a copy of the Bill at the request of the member.

(151) If approved an item will be got included in the list of business for the first day that the Law Secretary will lay a copy of the Bill as passed by the Assembly.

(152) There does not appear to be any need to send a copy of the Bill to each member with the agenda.

Secy
AA Le)
3.11.42

(153)

BSR
3.11.42

Law Secy)

(154)

Dewan

5-11-42

BSR
5.11.42

(155)

8/11/42

10-11-42

10.11.42

SECY. 473
GOVT OF MYSORE

G. R. S. III—3]
R. A. & L. C.

1918/L.C

[To be use

L. S. Raju, M.A. (Hons.), B.L., M.L.C.
ADVOCATE.

Residence:—"SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office:—Kasi Visveswar Temple Lane
CHICKPET,
BANGALORE CITY.

Dated 28th Oct. 1942.

No Legis. 9

MvDS

To

The Secretary,
Mysore Legislative Council,
Bangalore.

Sir,

Under Rule 35(1), of the Mysore Legislative Rules, I hereby request that "The Removal of Civil Disabilities Bill", the General Principles of which have been approved by the Representative Assembly, may be laid by the Government on the table at the next Session of the Legislative Council.

Yours faithfully,

Member, Bangalore Urban
General Constituency.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Civil Disabilities Removal Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 37/M D 1918/Lc of 194

[App. F. III–2

Serial No.

(156) Notice has been given by the Legl. Member to introduce and to refer to a Select Committee.

(157) Being a measure affecting Social usages and Custom of a Community, it appears desirable the Bill is circulated before reference to a Select Committee

(158) If approved an amendment to the motion ~~that it~~ will be tabled in the name of the Law Secretary to the effect that the bill be circulated for eliciting public opinion

(159) Such a practice exists in British India, as Government should have means of ascertaining public opinion before approving of such measures.

(160) The motion will come up on 12th and one day's notice is necessary for an amendment

Secy
Law
10.12.18

(161) This is a piece of Social Legislation on which there is bound to be strong differences of opinion. I think it is therefore necessary and desirable that the Bill should prior be circulated for public opinion. The time may be fixed as 1st April. If approved, a motion of amendment to that effect will be tabled

BKR
10-12-18

(162) Law Secy
Not necessary. Committee
Mr. Rao
BKR
10-12-18

SECY. LAW DEPT. 1 PM 10 GOVT OF MYSORE

NOTE—Contn. Sheet

The Removal of Civil Disabilities Bill

File No. of 194 | General and Revenue Secretariat R. A. & L. C.

Serial No.

(163) The Sponsor of this Bill, Mr. L.S. Raju, introduced it in the Legislative council on the 11th December 1942. + Motion was moved to refer the Bill to a Select committee by this member on the 12th December 1942, and the same was adopted.

(164) The following are the members of the Select committee :-

Mr. A.V. Ramanathan (Chairman)
" Belur Srinivasa Iyengar
" R. Chinnagaramiah
" S. Narayana Rao
" A.K. Jayamuthuraju
" G.S. Nabiulla Shariff
" C. Lakshmana Gowda
" M. Venkatesha Iyengar
" A.R. Wadi
Diwan M. Ramachandra Rao Sindia
" B. Varadhiengar Bhatta
" B.S. Puttaswamayya, Rao
" C. Narayanaswamy Naidu
" L. Sheriar

(165) Suggestions as to the date of holding the meeting of the Select committee -

26/8/11/43
BVM 8-1-43.

The Removal of Civil Disabilities Bill

General and Revenue Secretariat R. A. & L. C. | File No. 1918/L.C. of 194 | [App. F. III–2

Serial No.

(166) Orders have been passed in a separate file for holding the meeting of the Select Committee in respect of this Bill on Friday the 12th March 1943 at 1 p.m.

Draft O.M. to the members of the Select Committee is submitted for approval

2N. 1-3-43 BDM 1/3. (167) Secy (R.A. & L.C.) Secy 1.3.43

(168) Dispatched BDR 2.3.43

Issued vide 4445-60 dated 2/3/43

From

Mr B.S. Puttaswamy, B.A. B.L. Member, Legislative Council and also member of Select Committee re: The Removal of Civil Disabilities Bill

letter dated 3rd March 1943

States that he has to attend the Senate meeting on the 12th instant and requests that the date fixed for the meeting of the Select Committee regarding this Bill may be kindly postponed to some date other than the 12th.

(169) The letter is submitted for perusal

2N. 5/3/43 (170) Receives instructions from the Hon'ble Minister. The meeting may be postponed to the 22nd inst.

BDM 5/3

(171) Dispatched notices BDR 5-3-43

NOTE—Contn. Sheet

The Removal of Civil Disabilities Bill

1943
37?

itself may be changed to a later date in April

(183) The letter is submitted for perusal and orders

DV
26-3-43

(184) The meeting may be held at 1-30 P.M. (instead of at 1 P.M) as suggested by Mr L.S. Raju. The date of the meeting has already been changed a number of times and it does not seem desirable to alter it again. The change of time if approved, will be intimated to Mr Raju and to the other members of the Committee.

BKR
26-3-43

(185) Education Minister)

OFFICE OF T...
FOR EDUCATION
Date.....
No.....

The time may be fixed at 1.30 P.M.
DV
29/3

Intimate Mr Raju & other members to re-submit now
BKR
29-3-43

(188) A draft reply to Mr L.S. Raju intimating that the time is fixed for 1-30 P.M. is put up

(189) A circular O.M to other members of the committee is also put up

DV
29-3-43.

(190)

Issue now
BKR
29-3-43

DV 29/3

Attached No 5019-27 L.C. dated 29-3-43 states that the Select committee meeting will be held at 1-30 P.M. instead of at 1 P.M. as previously intimated

(191) The file is resubmitted for perusal.

DV
30-3-43 DV 30/3.

(192) The Select Committee meets tomorrow at 1-30 P.M

BKR
30-3-43

Edn. Minister)

The Removal of Civil Disabilities Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 1918/C of 194 3718L

pp. F. III–2

Serial No.

(183) The meeting of the Select Committee was held in the Chambers of the Hon'ble Minister at 1.30 p.m. on 31.3.43. All the members were present.

(184) A draft report of the Select committee is put up for approval

BNR
3.4.43

Education (Minister).

(185)

JPB
5.4.43

BNR
7.4.43

Mr. V.

Sir,

(186) Copies of the Select committee Report are being got typed for sending them to the members. A draft letter forwarding the copies to the members for approval and return is put up for approval

JV
9.4.43 (187)

Done
BNR
9.4.43

Hand No 5448-60 L.C. dated 10-4-43

Sir,

(188) The marginally noted members of the Select committee have not yet returned the report of the Select committee with

OFFICE OF THE MINISTER FOR EDUCATION
Date 3.4.43
No. 5617

(1) Hon'ble P. Chenna Reddy
(2) " Bellur Srinivasa Iyengar
(3) Hon'ble A. K. Jayarama Reddy
(4) " M. Venkatesa Iyengar
(5) " B. S. Puttaswamy

NOTE—Contn. Sheet

Serial No.

their approval

189) A draft reminder is put up for approval

24-4-43

(190) (191)

26-4-43

Memo No 5831-35 L C dated 27-4-43

(192) Copies of the Select committee report are still due from the marginally noted members.

Mr A. Thamotharampillai
Mr Velan Sabapathy
Mr M. Vinayagamoorthy
Mr S. Muttucumaru

(193) Another reminder will be sent if approved. Draft is put up.

26/8-5-43

(194)

8/5

Memo No 6270-73 L C dated 8-5-43 sent.

OFFICE OF THE MINISTER FOR PUBLIC WORKS 17 MAY 1943 No. 1636

195) Signed copies of the report sent by the members are put up for perusal.

196) Draft of the report as approved by the members and the amended Bill are put up for approval

26/14-5-43

14/5

(197)

14-5-43

P.S. to Minister

(198)

18-5

18-5-43

The Civil Disabilities Removal Bill

Continuation Sheet. L.C. File No. / Current No. 1918/Lc. of 1942-43. Page.

Submitted

(199) At the recent Budget Session of the Legislative Council held in June-July 1943, the report of the Select Committee on the Civil Disabilities Removal Bill was presented to the Council on 21st June, 1943 by Mr L. S. Raju, the Sponsor of the Bill. The Bill was taken up for consideration and finally passed in the chamber on unanimously Saturday 3rd July, 1943. A copy of the Bill as passed in the Chamber & Signed by the President L. C., under the provisions of Standing order 44 of the L. C. is put up for perusal

(200) The Bill has now to be promulgated into Law

(201) D. F. N. is submitted for consideration

DSR 14.7.43

(202) Secy (Law) 15.7.43

BKR 15-7-43

(203) Law Secy)

(204) Submitted

15.7.43

(205)

BKR 15-7-43

(206) Signed F.N. in duplicate four cop. 15.7.43

15.7.43

(207) Draft S.N. Submitted.

DSR 19.7.43

BKR 19-7-43

(208) Dewan)

DEPUTY SECRETARY'S OFFICE 19 JUL 1943 416

SECY. LAW DEPT. MYSORE

OFFICE OF THE MINISTER 15 JULY 1943 No. 443

Final Note by the Minister for Revenue and Law.

Subject.— The Civil Disabilities Removal Bill.
(Non-official Bill.)

(೨೦೯) His Highness was graciously pleased to grant permission on 11th December 1941 for placing the Civil Disabilities Removal Bill (Non-official Bill) before the Representative Assembly.

(೨೧೦) The Civil Disabilities Removal Bill could not be proceeded with on the Budget session of the Representative Assembly, 1942 for want of time. The Bill was placed for consideration at the Dasara session of the Assembly, 1942, and approved by that Chamber. The Bill was thereafter introduced and referred to the Select Committee at the session of the Legislative Council, held in December 1942. The report of the Select Committee was presented at the recent Budget session of the Legislative Council, held in June-July 1943, and the Bill was passed by the Chamber in the same Session on Saturday, 3rd July 1943.

(೨೧೧) A copy of the Bill as passed by the Council and signed by the President under the provisions of Standing Order 44 of the Legislative Council Standing Orders is also submitted herewith.

(೨೧೨) I solicit the gracious sanction of His Highness to promulgate the Bill into law.

/T V Chikkatayamma

Bangalore,
16th July 1943.

Minister,
Revenue and Law.

Submitted to His Highness.

(213) I submit herewith a Final Note by the Minister for Revenue and Law on the subject of the promulgation into law of the Civil Disabilities Removal Bill, for His Highness's gracious sanction.

M. V. Krishna Rau

Bangalore,
19th July 194

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

(214)

Subject.

Proposal to promulgate into law the Civil Disabilities Removal Bill.

No. 65

(215)

Order.

28/7/'43

(216) chapter I

30/7/43

217) 30/7/43

General and Revenue

Secretariat.

C120

SUBJECT:—

Proposal to promulgate into law the Civil Disabilities Removal Bill.

(*) (219)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will (220) first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Vidyanandhan
Chief Secretary to Government.
30/7/43

Through the Secretary to Government,

.....L..a..W.....Department.

30-7-43

(221) 758 / 9/8/43 — Minister for Revenue and Law. 6.8.43

(222) 647 / 30-7 — Minister for Public Works. 29.7.

(223) 894 / 31/7 — Minister for Local Self-Govt. and Public Health. 31.7.43

(224) 665 / 6.8.43 — Minister for Industries and ~~Commerce~~ Supplies. 5/8

(225) 729 / 6.8.43 — Minister for Education.

(226) Law

(227) 9/8/43

(228) 9-6-43

OFFICE OF THE SECRETARY
M.L.A.
9 AUG. 1943
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

NOTE.—Contn. sheet

D 02718—GPB—500—21-4-43

The Removal of Civil Disabilities Act 1943

Continuation Sheet. File No. Current No. 19/82 of Page.

The gracious assent of His Highness the Maharaja was accorded on the 28th July 1943 to promulgate the Bill into law.

A draft g.o. directing the publication of the Act as Act No. XLII of 1943 is submitted for approval.

(230) 10-8-43 BVR 10/8. (Law Secy) 10.8.43

(231) 10-8-43

(232) 4.9.43

To the compiler, Mysore Gazette

(233) No RL 193-Legis 17-43-1 dated 16th Aug 43 directs the publication of the Act in the gazette. The Act has been published in part III of the Mysore Gazette dated 19th Aug 1943.

(234) If approved, the file will be sent to the administrative section (Mugrai Branch) for note and return.

(235) 30/8/43 (Mugrai Branch.)

(236) BVR 30/8. Submitted for perusal before returning the file to the Legislative Council Section.

(237) 6/9/43 For perusal. (Gl. Secy) 9/9

(238) 8 SEP 1943 9/9

(239) This file may now be sent back to the L.C. Section. 10/9

Legis. Council Section)

D. S. P. M.A. (Hons.), B.L., M.L.C.,
ADVOCATE

Residence: "SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office: Kasi Visveswar Temple Lane
CHICKPET, BANGALORE CITY

Dated 12th July 1941

No. Leg. 20.

The Secretary to Government,
Law Department,
Secretariat Buildings, Bangalore.

Sir,

Under Rules 22 and 33(a) of the Mysore Legislative Rules read with Section 27 of the Government of Mysore Act 1940, I am herewith submitting a copy of The Mysore Untouchability Abolition Bill, together with (a) a Statement of the Principles of the Bill and (b) a Statement of Objects and Reasons, and request permission of the Dewan for placing the Bill before the Assembly, at its next Session. I also request that the Dewan may be pleased to direct that the Bill with the Statement of Objects and Reasons and Principles be published in the Mysore Gazette in case permission is accorded.

Yours faithfully,

Member, Legislative Council,
Bangalore Urban General
Constituency.

Encls. Three.

THE MYSORE UNTOUCHABILITY ABOLITION BILL

Whereas it is increasingly felt by the Hindu community that the disabilities that are imposed by social custom and usage on certain classes of Hindus commonly known as the Depressed or Untouchable classes are repugnant to modern conditions and ideas of justice and social solidarity and should no longer be recognised by law or otherwise enforced, but should be severely discouraged;

It is hereby enacted as follows:-

1. This Act may be called the Untouchability Abolition Act. 194

2. It shall come into force on the 1st day of 194

3. It extends to the whole of Mysore.

4. Notwithstanding anything contained in any law, custom, usage or interpretation of law, to the contrary, no penalty, disadvantage, or disability shall be imposed upon, nor any discrimination made or recognised against any person on the ground that such person belongs to an untouchable class or caste among Hindus, and no court, civil or criminal, shall recognise any custom of untouchability or base its adjudication on such a custom.

STATEMENT OF GENERAL PRINCIPLES OF THE BILL

The so-called Depressed Classes form nearly one-fifth of the population of the Mysore State. The custom of segregation which treats these classes of the Hindu Community as Untouchable and the social disabilities which they suffer from have been the subject of universal condemnation throughout India. In spite of continuous agitation and the advance in public opinion for the abolition of untouchability and the removal of the disabilities of the Depressed Classes, established usage which has the force of law and got official recognition in the State stands in the way to the prejudice of these classes and no change or innovation is possible without recourse to legislation. It is, therefore, considered necessary to bring forward the minimum amount of legislation required for withdrawing the help and authority of the State in the enforcement of untouchability and the disabilities arising therefrom, the rest being left to the ripening of public opinion in the country.

The Bill proposes to withdraw the co-operation of the State in the enforcement of untouchability and the disabilities thereunder, and to declare that no court, civil or criminal, and no officer of the Government shall

shall base any judgment or order on the recognition of such a custom.

The Bill is purely negative. It does not penalise the practice of untouchability. Nor does it interfere positively with any social or religious institutions. Its object is to treat the Depressed Classes like the members of any other caste by abolishing by legislative enactment untouchability as such.

STATEMENT OF OBJECTS AND REASONS

Mahathma Gandhi's historic fast and the Yerrawada Pact about the Depressed Classes have brought about a great awakening throughout India for the abolition of untouchability and the removal of disabilities of the Untouchable classes. But speedy reform has been found to be not possible without recourse to legislation. For, the British and British Law in India have recognised and enforced the established usages and customs of the Hindus. Even if the Reformers obtain the consent of the majority of caste-Hindus for their proposals they are unable to achieve their object as even a single dissentient can set the law in motion through courts and block reform. Though there is no section in the Mysore Charitable and Religious Institutions Act, 1927, corresponding to section 40 of the Madras Religious Endowments Act 1926, and there is also no reported decision of the High Court of Mysore in regard to untouchability, Section 11 of the Mysore High Court Act and Section 17 of the Mysore Civil Courts Act lay down that where it is necessary for the court to decide any question regarding caste or any religious usage or institution, in the absence of any rule of Hindu Law, "any custom (if such there be) having the force of law and governing the parties or property concerned shall form the rule or decision unless such law or custom

has, by legislative enactment, been altered or abolished," and there is hardly any reason to think that the High Court of Mysore will not follow the judicial precedents of British India with regard to untouchability as it has done in so many other matters. Such being the state of the law, it has been considered necessary to seek the aid of legislation.

It is purely negative in character. It proposes to withdraw the co-operation of the State in the enforcement of the custom of untouchability and to lay down that no court, civil or criminal, and no officer of the Government shall base any judgment or order on the recognition of such a custom. It is not drafted to interfere positively with any social or religious institutions. With the withdrawal of the State aid and the progress of the "Harijan" movement, untouchability is certain to die a natural death in the unfavourable atmosphere of modern life.

Draft.

From

The Secy. to Govt.,
Law Department.

To

L.S.Raju, Esq., M.A.(Hons),B.L.,
Member, Legislative Council,
Bangalore.

Sir,

With reference to your letter No.Leg.20, dated 12th July 1940, requesting that the permission of the Dewan may be obtained to place the Mysore Untouchability Bill before the Representative Assembly, I am desired to enquire whether, in view of the intention set out in the statement of principles and objects and reasons that the Bill "is not drafted to interfere positively with any social or religious institutions", you would be prepared to modify the Bill and confine its scope to securing for the depressed classes access to streams, wells and secular institutions on the lines of Madras Act XXI of 1938.

I have etc.

16/9/41.

Secy. to Govt.,
Law Department.

No. 2738

22nd September 1941.

L. S. Raju, Esq., M.A.(Hons), B.L.,
Member, Legislative Council,
Bangalore.

Sir,

With reference to your letter No.Leg.20, dated 12th July 1940, requesting that the permission of the Dewan may be obtained to place the Mysore Untouchability Bill before the Representative Assembly, I am desired to enquire whether, in view of the intention set out in the statements of principles and of objects and reasons that the Bill "is not drafted to interfere positively with any social or religious institutions", you would be prepared to modify the Bill and confine its scope to securing for the depressed classes access to streams, wells and secular institutions on the lines of Madras Act XXI of 1938.

I have the honour to be,
Sir,
Your most obedient servant,

BKR

For Secretary to Government,
Law Department.

L.S.P[illegible] M.A.,(HONS.) B.L.
ADVOCATE.
Member, Legislative Council.
RESIDENCE:- "SITA VILAS."
BASAVANGUDI P. O.
(BANGALORE).

"LAKSHMI STHANAM"
OFFICE: KASI VISVESWAR TEMPLE LANE,
CHICKPET.
Banaalore City.

25th September 1941

No Leg. 28.

25/9/41 To

The Secretary to Government,
Law Department,
Bangalore.

Sir,

With reference to your letter No.2738 dated 22nd September 1941 I write to inform you that I am prepared to modify the bill as suggested. But the scope of the bill can always be enlarged later on.

You may kindly introduce the necessary modifications in the draft bill sent by me.

Yours faithfully,

Member, Legislative Council,
Bangalore Urban General
Constituency.

THE REMOVAL OF CIVIL DISABILITIES BILL, 1943

STATEMENT OF OBJECTS AND REASONS

1. The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act, XXI of 1938.

2. The Bill is of a negative Character and does not impose any penalty for the practice of Untouchability.

3. The Bill is intended to withdraw the sanction of law for the custom of Untouchability in regard to civil matters only.

4. The Bill is not intended to affect the existin custom or usage in respect of Harijans entry into and offering worship in Hindu Temples.

5. The Bill is intended to take away the power o the Courts and public or local authorities to recog the custom of Untouchability in all civil matters.

THE REMOVAL OF CIVIL DISABILITIES BILL, 1943

STATEMENT OF OBJECTS AND REASONS

1. The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act, XXI of 1938.

2. The Bill is of a negative character and does not impose any penalty for the practice of Untouchability.

3. The Bill is intended to withdraw the sanction of law for the custom of Untouchability in regard to civil matters only.

4. The Bill is not intended to affect the existin custom or usage in respect of Harijans entry into and offering worship in Hindu Temples.

5. The Bill is intended to take away the power of the Courts and public or local authorities to recogni the custom of Untouchability in all civil matters.

No. C. 335
Exec. Sec.

Mysore,
28th September 1941.

My dear Sir Charles,

I am in receipt of your letter No. C.1238 of September 12th in regard to the proposed refusal of permission to Mr. L.S. Raju to introduce into the Representative Assembly his Untouchability Abolition Bill.

I am now enclosing for your information a note in which I have further examined the question of how best to deal with this measure.

In this connection, I should also like to send you for your perusal, as I think it will interest you, a copy of a letter from Sir D'Arcy Reilly, Chief Justice, in which he expresses his views in relation to another private members bill under consideration (bill to amend the Mysore Legal Practitioners' Act).

So far as Mr. Raju's bill is concerned, the difficulty has largely disappeared, now that he has agreed to modify the bill on the lines suggested, namely, by confining the scope of the proposed reform to streams, wells and secular institutions on the lines of the Madras Act XXI of 1938.

Yours sincerely,
(Sd.) N. Madhava Rau

Sir Charles Todhunter, K.C.S.I.,
Private Secretary to His Highness
the Maharaja of Mysore,
MYSORE.

Vasantha Mahal,

Mysore.

C. 1534. 1st October 1941.

My dear Madhava Rau,

Many thanks for your d.o. No.335, of the 28th September last.

I have been too busy until this morning to give the attention it deserves to your very able note on the question of the circumstances under which the Dewan is expected to exercise his discretion in refusing permission to introduce Bills into the Legislative Council.

Even now I have not been able to make a real study of the subject, but your note throws a flood of new light upon it and shows that the position here is entirely different to what it is in a British Indian Province.

In the matter of untouchability, if you are going to appoint the proposed Committee, I don't see how there can be any legitimate sense of grievance. That course, moreover, if the Committee is representative and the enquiry exhaustive, should have the result of imposing the burden of opposition to whatever course may be recommended on the shoulders on which it should properly rest. Or, perhaps, like other Committees appointed with great flourishes of trumpets to deal with similarly difficult matters, it will tacitly admit that the question is not ripe for decision by failing to meet or by rendering an obviously inconclusive report.

Yours sincerely,

G. Rau

Secretary
Copies of the Dewan's letter No.C.1534 dated 1.10.41 to the Secretary to the Government of India in the Commerce Department and his reply dated 2.10.41 are kept in the Confidential file.

2.10.41

Please put up my draft letter to the Dewan & copies of the notes sent to His Highness.

2/10/41

* Copies of the notes have been sent to His Highness the Maharaja on 3.10.41.

SNK.

C 404 - Ltrs Two

3rd October 1941.

My dear Mr. Thumboo Chetty,

I am sending herewith for your information a copy of a note by me on the subject of Mr. L. S. Raju's Untouchability Abolition Bill (which he has since agreed to modify by confining its scope to streams, wells and secular institutions) and of a note by Sir D'Arcy Reilly, Chief Justice. The latter, though it has no particular bearing on the Bill under reference, is yet of interest as indicating his views on the general question of the previous sanction of the Dewan which, under the Act, is required for the introduction of private members' bills into the legislature.

Yours Sincerely,

Sd. N. Madhava Rau

Rajasabhabhushana
T. Thumboo Chetty, Esq., O.B.E.,
Huzur Secretary to His Highness
the Maharaja of Mysore,
MYSORE.

The Removal of Civil Disabilities Bill.

A Bill to provide for the removal of civil disabilities among certain classes of Hindus.

.....

WHEREAS it is increasingly felt by the Hindu community that the disabilities, which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognised by law or otherwise enforced; it is hereby enacted as follows:-

Short title and extent.

1. (1) This Act may be called THE REMOVAL OF CIVIL DISABILITIES ACT, 1938.

(2) It extends to the whole of Mysore.

Social disabilities not to be recognised by law.

2. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall, by reason merely of his belonging to any particular community or class known as Harijans, Untouchables, Depressed Class or the like, be prevented or disabled from being appointed to any public office or enjoying or having access to any public stream, river, well, tank, pathway, sanitary convenience, or means of transport or any secular institution which the general public belonging to all other classes and communities of Hindus have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for out of the funds of the State or a local authority; and no Civil, Criminal or Revenue Court in adjudicating any matter or executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognise any custom, usage or prescription under which it is sought to impose any civil disability on any person by reason of his belonging to any of the classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

5.11.41

413/42

S. Raju M.A. (Hons.), B.L., M.L.C.
ADVOCATE

Residence: "SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office: Kasi Visveswar Temple Lane
CHICKPET, BANGALORE CITY

OFFICE OF THE SECRETARY
M.W.A.B.
14 NOV. 1941
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

Dated 14th November 1941.

No. Leg. 33.

To

DEPY. LAW DEPT.
14 NOV. 1941
GOVT OF MYSORE

The Secretary, to Government
Law Department,
~~Mysore Legislative Council~~,
Bangalore.

Sir,

I have the honour to enclose herewith a draft Bill with the Statement of General Principles, called " The Removal of Civil Disabilities ~~Act~~ Bill."

I request the same may be brought before the next Session of the Legslative Council.

Yours faithfully,

S. Raju

Member, Leg. Council,
Bangalore Urban General
Constituency.

Encls: 3.

" Statement of Objects and Reasons."

The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act - XXI of 1938.

The Bill is of a negative character. It withdraws the sanction of law for untouchability in regard to civil matters and takes away the power of Courts and public or local authorities to - recognize it.

" Statement of General Principles."

1. The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act XXI of 1938.

2. The Bill is of a negative character and does not impose any penalty for the practice of Untouchability.

3. The Bill is intended to withdraw the sanction of law for the custom of Untouchability in regard to civil matters only.

4. The Bill is not intended to affect the existing custom or usage in respect of Harijans entry into and offering ~~xhx~~ worship in, Hindu Temples.

5. The Bill is intended to take away the power of the Courts and public or local authorities to recognise the custom of Untouchability in all civil matters.

" THE REMOVAL OF CIVIL DISABILITIES BILL."

A Bill to provide for the removal of civil disabilities among certain classes of Hindus.

Whereas it is increasingly felt by the Hindu community that the disabilities which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, untouchables, or depressed classes, and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced;

It is hereby enacted as follows:-

1. This Act may be called The Removal of Civil Disabilities Act, 1941;

2. It extends to the whole of Mysore;

3. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall,by reason merely of his belonging to any particular community or class known as Harijans, Untouchables, Depressed class or the like, be prevented or disabled from being appointed to any public office or enjoying or having access to any public stream, river, well, tank, pathway, sanitary convenience, or means of transport or any secular institution which the general public belonging to all other classes and communities of Hindus have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for out of the funds of the State or Local authority; and no Civil, Criminal or Revenue Court in adjudicating

any matter or executing any order and no public or local authority in carrying on the affairs entrusted to such authority ~~in carrying on the affairs entrusted to such authority~~ shall recognize any custom, usage or prescription under which it is sought to impose any civil disabilities on any person by reason of his belonging to any of the classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

Appendix F G –1]

SUBJECT

Section

File No.

Serial No.

Diary No. of letter replied to D.O. No. R.L. 1058.

To

L. S. Raju Esq. M.A (Hons) Bl.
Advocate & Member L.C.
Basavanapuri – Bangalore

General and Revenue Secretariat

( )

the 193

Dear Sir,

With reference to your letter dated 14th Nov, 1941, regarding the "Removal of Civil disabilities ~~Removal~~ bill", I am desired to invite reference to my letter No 2738 dated 22nd Sept 1941 to state that the Diwan has been pleased to accord sanction for placing the Civil Disabilities removal bill" before the L.A.

Date of issue 28-11-41

Signed by Mr. H. V. Narayana Rao

> your Hy Memo, Legis No 28 dated 25th September 1941 (and)

List of enclosures

Yours faithfully
27.11.41
Secretary to Govt

Copied by

Examined by Memo No: R.L. 1059. Dtd

Copy of the above is forwarded to the Secy. R.A. in Form M.

28th November 1941.

No. R.L. 1058.

Dear Sir,

With reference to your letter dated 14th November 1941 regarding the "REMOVAL OF CIVIL DISABILITIES BILL", I am desired to invite reference to my letter No.2738, dated 22nd September 1941, and your reply thereto Legis.No.28, dated 25th September 1941, and to state that the Dewan has been pleased to accord sanction for placing the Civil Disabilities Removal Bill before the Representative Assembly.

Yours sincerely,
Sd/- H . V. NARAYANA RAO.

L.S.Raju, Esq., M.A.(Hons.),B.L.,
Advocate and Member, Legislative Council,
Basavangudi, Bangalore.

Memo No. R.L. 1059.

Dated, Bangalore, 28th November 1941.

Copy of the above is forwarded with compliments to the Secretary, Representative Assembly, for information.

By Order,

For Secretary to Government,
Law Department.

Bs.

1641

L. S. Raju, M.A. (Hons.), B.L., M.L.C.,
ADVOCATE.

Residence:—"SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE)

"LAKSHMI STHANAM"
Office:—Kasi Visveswar Temple Lane
CHICKPET,
BANGALORE CITY.

OFFICE OF THE SECRETARY
M.D.S.
29 NOV. 1941
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

Dated 29th Nov. 1941

No. Leg. 34.

To

The Secretary to Government,
Law Department,
Bangalore.

Sir,

I write to acknowledge with thanks the receipt of your letter No.R.L.1058 dated 28th November 1941 regarding the "Removal of Civil Disabilities Bill".

Yours sincerely,

L. S. Raju

SECY. LAW DEPT. 28 29 NOV 1941 GOVT OF MYSORE

29/11/41

The main file has been sent to the Nagpur Branch for reply. After the receipt of that file in this branch, this Communication will be placed there.

2.12.41

2-12-41

1064/42

L. S. Raju, M.A. (Hons.), B.L., M.L.C.,
ADVOCATE

Residence: "SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office: Kasi Visveswar Temple Lane
CHICKPET, BANGALORE CITY

Dated 16th April 1942.

No. Leg. 1.

To

THE LAW SECRETARY,
Government of Mysore,
Bangalore.

OFFICE OF THE SECRETARY
H.D.S.
16.4.1942
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

SEC 1 GOV
SEPT 1942 MYSORE
BBR 16.4.42

Dear Sir,

Further to your letter No. 2738, dated 22-9-'41, and my reply Leg. 28, dated 25-9-'41 and also my letter No. Leg 33, dated 14-11-'41;

I request you to kindly introduce before the next Session of the Representative Assembly " THE REMOVAL OF CIVIL DISABILITIES BILL " of which I have given notice.

Thanking you,

Yours faithfully,

Member

Legislative Council, B'lore
Urban General Constituency

No. 8479. L.C.

26th June 1942.

L.S. Raju, Esq., M.A(Hons.,) B.L.,
Advocate and Member, Legislative Council,
Basavangudi, BANGALORE.

Sir,

With reference to your letter No. Leg. 1 dated 16th April, 1942, regarding "the removal of Civil Disabilities Bill", I am desired to state that the Bill could not be placed before the Representative Assembly at the recent Budget Session in June 1942, for want of time.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section

File No.

Serial No.

No. 8479.L.C.

Diary No. of letter replied to .....

To L.S. Ranjan Esq M.A. (Hons) B.L.
Advocate & Member L.C.
Basavanagudi Bangalore

General and Revenue Secretariat
R. A. & L. C.
( )

Sir,

Date of issue 26.6.42

With reference to your letter No. Leg. 1 dated 16th April 1942 regarding "The Removal of Civil Disabilities Bill", I am desired to state that the Bill could not be placed before the Representative Assembly at the recent Budget Session in June 1942 for want of time.

Signed M.B.K.R.

I have the

honour to be

Sir

Your most obedient servant

for Secy to Govt

Law Dept

List of enclosures .....

Copied by .....

Examined by .....

26.
25-6-42
KVN
25/6.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section

File No.

Serial No.

No. 2392/RA

Diary No. of letter replied to .....

To L. S. Raju Esq M.A. (Hons) B.L
Member, Advocate. Chikpet. B. city

General and Revenue Secretariat
R. A. & L. C.
( )

Sir,

I have the honour to intimate that the Removal of Civil Disab proposed to be introduced at the last this bill ~~Sponsored~~ by you was placed for consideration at the recent Dasara Session of the R. A (Oct, 1942) and to state that the Principles of the bill were approved by the Chamber

I have the

Secretary, R.

Date of issue 31-10-42

Signed by rh. B.K.R.

List of enclosures .....

Copied by .....

Examined by .....

31.10.42

31st October 1942.

9392/RA.

V. S. RAJU, Esq., M.A.(Hons.), B.L.,
Member, Legislative Council and
Advocate, Chikpet, Bangalore City.

I have the honour to intimate that the Removal of Civil Disabilities Bill proposed to be introduced by you at the Legislative Council was placed for consideration at the recent Dasara session of the Representative Assembly (October, 1942) and to state that the Principles of the bill were approved by the Chamber.

I have etc.,

M.K. Ramakrishnaraja

SECRETARY,
Representative Assembly.

DBO

published in the Gazette (English and Kannada) dated 24th Dec 1942

MYSORE LEGISLATIVE COUNCIL

DECEMBER, 1942.

THE REMOVAL OF CIVIL DISABILITIES BILL.

By

Mr. L. S. Raju,

Member, Legislative Council.

Statement of Objects and Reason

1. The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act, XXI of 1938.

2. The Bill is of a negative character and does not impose any penalty for the practice of Untouchability.

3. The Bill is intended to withdraw the sanction of law for the custom of Untouchability in regard to civil matters only.

4. The Bill is not intended to affect the existing custom or usage in respect of Harijans' entry into and offering worship in Hindu Temples.

5. The Bill is intended to take away the power of the Courts and public or local authorities to recognise the custom of Untouchability in all civil matters.

THE REMOVAL OF CIVIL DISABILITIES BILL.

A Bill to provide for the removal of civil disabilities among certain classes of Hindus.

Whereas it is increasingly felt by the Hindu community that the disabilities which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes, and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced;

It is hereby enacted as follows:—

1. This Act may be called the Removal of Civil Disabilities Act, 194 .

2. It extends to the whole of Mysore.

3. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall, by reason merely of his belonging to any particular community or class known as Harijans, Untouchables, Depressed Class or the like, be prevented or disabled from being appointed to any Public Office or enjoying or having access to any public stream, river, well, tank, pathway, sanitary convenience or means of transport or any secular institution which the general public belonging to all other classes and communities of Hindu have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for, out of the funds of the State or local authority; and no Civil, Criminal or Revenue Court in adjudicating any matter or executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognize any custom, usage or prescription under which it is sought to impose any civil disabilities on any person by reason of his belonging to any of the classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

BANGALORE,
9th December 1942.

B. K. RAMAKRISHNAIYA,
Secretary,
Mysore Legislative Council.

WD 5429—GPB—150—10-12-42

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 4445-60 dated 3-43 Office of the Secretary,
Mysore Legislative Council.
Dated Bangalore, 2nd March 1943.

OFFICIAL MEMORANDUM

A meeting of the Seleet Committee to consider the Removal of Civil Disabilities Bill will be held at 1 p.m. on Friday, the 12th March 1943, in the Chambers of the Minister for Education, Old Public Offices, Bangalore. You are requested to attend.

By Order,

BKR

Secretary to the Committee.

To Copy to:-

(1) Mr Belur Srinivasa Iyengar
(2) " R. Channigaramiah
(3) " S. Narayana Rao

(4) A.K. Paramasivarajan
(5) S.M. Sheriff
(6) C. Lakshmana Gowda
(7) M. Venkatesha Iyengar
(8) [redacted] Wadia
(9) M. Ramachandra Rao Sendia
(10) B. Krishna Bhatta
(11) B.S. Puttaswamy
(12) C. Narayanaswamy Naidu
(13) K.S. Raju
(14) R.A. & C. Office
(15) Office Branch

Appendix F G–1]
R. A. & L. C.

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.

( )

Date of issue .....2.-3.-43.....

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section.

File No.

Serial No.

No. 4445-60 L e

~~To~~

Official Memorandum

A meeting of the Select Committe
to consider the Removal of Civil
Disabilities Bill will be held on at 1-p-m.
Friday the 12th March 1943 in the
Chambers of the Minister for Educa
old public Offices, Bangalore
you are requested to attend.

B. O.

BXR

Secretary
G
the Committe

2N.
1-3-43. BXR 1/3
Forwarded to :-

(1) Mr. Belur Srinivasa Iyenga
(2) " R. Shanmugaramiah
(3) " S. Narayana Rao
(4) " A.K. Jayamuthuraju
(5) G.S. Nasrulla Sheriff

(6) Mr. M. Venkatesha Iyengar

(7) " A.R. Kadia

(8) " M. Ramachandra Rao Sindia

(9) " B. Krishna Bhatta

(10) " B.S. puttaswamy

(11) " L.S. Raju

(12) " C. Narayanaswamy Naidu

(13) " C. Lakshmana Gowda

(14) P.A to the Minister for education

(15) Copy to the president, Legislative council

(16) Copy to the R A & L C Office

(17) Copy to the G.B

18 copies

Appendix F G–1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section.

File No

Serial No.

No. 4481-96 L

Diary No. of letter replied to .....

To

General and Revenue Secretariat
R. A. & L. C.

( )

Official Memorandum.

A meeting of the Select committee to consider the Removal of Civil Disabilities Bill will be held at 1. P. M. on Wednesday the 24th ~~Monday the 22nd~~ March 1943 in the chamber of the Minister for Education, Old public Offices Bangalore instead of on Friday, the 12th inst as ~~previously~~ notified in O. M. No 4445-L dated 2nd March 1943

Date of issue 6.3.43 ~~4481-96 L~~

Signed by .....

BKR
6.3.43

By Order

BKR

Secretary to the Committee

List of enclosures .....

Copied by .....

Examined by .....

Forwarded to

(1) The Private Secretary to

(2) Mr R. Channigaramiah

(3) " S. Narayana Rao

4) " A.K. Jayamuthuraju

5) " G.S. Nabrulla Sheriff

6) " M. Venkatesha Iyengar

7) " A.R. Wadia

8) " M. Ramachandra Rao Sindia

9) " B. Krishna Bhatta

10) " B.S. puttaswamy

11) " L.S. Raju

12) " C. Narayanaswamy Naidu

13) " L. Lakshmana Gowda

Copy to

(1) R.A. & L.C. Office

(2) Office in charge

(3) president Mysore Legislative council

Office Copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary
Mysore Legislative Council,
No. Dated, Bangalore, 6th March 1948.

OFFICIAL MEMORANDUM.

A meeting of the Select Committee to consider the Removal of Civil Disabilities Bill will be held at 3 P.M. on ~~Monday~~ the Wednesday ~~22nd~~ March 1948 in the Chambers of the Minister for Education, Old Public Offices, Bangalore, instead of on Friday the 12th instant as previously intimated in O.E. No. 4445-60 L.C. dated 2nd March 1948.

By Order,

Secretary to the Committee.

To 1) Forwarded to members
2) Copy to president, Mysore Legislative Council
3) Office Branch
4) R.A. & L.C Office

copy

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue ..16.3.43.....

Signed by Mr. B.K.Ram-Murthi

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No

No. 4540-53 L. C

To

Official Memorandum

A meeting of the Select commi
to consider the Removal of Civil
Disabilities Bill will be held at 1.
on Monday the 29th ~~inst~~ March 194
in the chambers of the Minister f
Education, Old public Offices,
Bangalore, instead of on Wednes
the 24th inst as previously intim
in O.M. No 4481-96-L.C. dated 6th
March 1943

By Order

BKR

Secretary to the
Committee

Forwarded to
(1) Mr. Belur Srinivasa Iyengar

(2) Sri K. Thimmaraamiah

(3) " S. Narayana Rao

(4) " A.K. Jayamuthu Raju

(5) " G.S. Nabiulla Sheriff

(6) " M. Venkatesha Iyengar

(7) " A.R. Wadia

(8) " M. Ramachandra Rao Sindia

(9) " B. Krishna Bhatta

(10) " B.S. Puttaswamy

(11) " L.S. Raju

(12) " C. Narayanaswamy Naidu

(13) " C Lakshmanagowda

Copy to:

(1) R.A & C Office

(2) Office Branch

(3) President Mysore Legislative Council

BVN
15/3

Hard copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary,
Mysore Legislative Council,
No. 4540-53 L.C Dated, Bangalore. 16th March 1948.

OFFICIAL MEMORANDUM.

A meeting of the Select Committee to consider the Removal of Civil Disabilities Bill will be held at 1 P.M. on Monday the 29th March 1948 in the Chambers of the Minister for Education, Old Public Offices, Bangalore, instead of on Wednesday the 24th instant as previously intimated in O.M. No. 4491-98 L.C. dated 8th March 1948.

By Order,

BKR

Secretary to the Committee.

Forwarded to:

1) The members of the Committee
2) R.A. the Office
3) Office Branch
4) president. The Mysore Legislative council

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

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.....

Section

File No.

Serial No.

No. 4954-66 L.C

Diary No. of letter replied to .....

To

Official Memoran

General and Revenue Secretariat
R. A. & L. C.
( )

A meeting of the Select committee to consider the Removal of Civil Disabilities Bi... ...d be held at 1.p.M on Wednesday the 31st March 1943 in the chamber of the Minister for Education, Old public Offices Bangalore instead of on Monday the 29th March 1943 as previously intimated in O.M. No 4540-53L.C dated 16-3-43.....

Date of issue 29/3/43

Signed by B.G.R

List of enclosures .....

By Order

Copied by .....

B.G.R

Examined by .....

Secretary
to
the Select committe

Forwarded to :—

(1) M. Belur Srinivasa Iyengar

(2) " R. Chennyasamiah

(3) " S. Narayana Rao.

(4) " A.K. Jayamuthu Raju

(5) " O.S. Nasrulla Shariff

(6) " M. Venkatesa Iyengar

(7) " A.R. Wadia

(8) " M. Ramachandra Rao Sindia

(9) " B. Krishna Bhatta

(10) " B.S. Puttaswamy

(11) " L.S. Raju

(12) " C. Narayanaswamy Naidu

(13) " C. Lakshmanagowda

Copy to

(1) R.A. & C. Office

(2) Office Branch

(3) President, the Mysore Legislative Council

320 42

L. S. Raju, M.A. (Hons.), B.L., M.L.C.,
ADVOCATE.

Residence:—"SITA VILAS"
BASAVANGUDI P.O.
(BANGALORE.)

"LAKSHMI STHANAM"
Office:—Kasi Visveswar Temple Lane
CHICKPET,
BANGALORE CITY.

Dated 24th March 1943.

No.

To

The Secretary,
Legislative Council,
Bangalore.

24.3.43
OFFICE OF THE SECRETARY
MYSORE
LEGISLATIVE COUNCIL

Dear Sir,

Re: Your letter No. 4954-66 L.C. dated 19/22nd March '43.

(Select Committee meeting to consider the removal of Civil Disabilities Bill.)

As I have Court work in the forenoon on Wednesday the 31st March 1943 will the Hon'ble Minister who is the Chairman of the Committee kindly fix the hour of the meeting at 1-30 P.M. instead of 1 P.M. on that day, or change the date itself to a later day in the first week of April, after 2nd April

Kindly let me know early.

Yours faithfully,

L. S. Raju

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section

File No.

Serial No

No. 5019-26 L C

Diary No. of letter replied to .....

To

Official Memorandum

General and Revenue Secretariat
R. A. & L. C.
( )

The meeting of the Select committee to consider the Removal of Civil Disabilities Bill will be held at 1-30 P.M instead of at 1 P.M on Wed. the 31st March 1943

Date of issue 29-3-43

Signed by Mr. B.K Ramakrishnaya

By Order

BKR

Secretary to the Select committee

29-3-43 BKR 29/3

List of enclosures .....

Forwarded to —

(1) Mr. Balur Srinivasa Iyengar

Copied by .....

(2) " A.K. Jayamuthu Raju

(3) " G.S. Nadrulla Sheriff

Examined by .....

(4) " C. Lakshmana Gowda

(5) " C. Narayanaswamy Naidu

(6) " M. Venkatesha Iyengar

(7) " A.R. Wadia

(8) " M. Ramachandra Rao Sahib

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue 19-3-43

Signed by M. B.K. Ramakrishnaiya

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. 1527 L C

Diary No. of letter replied to .....

To

M. L.S. Raju M.A (Hons) B.L.
M.L.C
Advocate, Bangalore

Sir,

As desired by you in your letter dated 24th March 1943, I have the honour to state that the meeting of the Select Committee to consider the removal of Civil Disabilities Bill will be held at 1-30 P.M. instead of at 1 P.M. on Wednesday the 31st March 1943 in the chamber of the Minister for Education, Old Public Offices Bangalore

I have etc

BAR

Secretary to the
Select Committee

BVN
29/3.

14 copies

Report of the Select Committee on the Removal of Civil Disabilities Bill.

We, the undersigned members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have considered the Bill and have the honour to ~~make the following report.~~ submit this, our Report, with the Bill as amended by us annexed thereto

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and ' and 'ideas'

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

(iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition, in brackets, of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words pond, well' ~~xx~~ and before the word tank'

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill, and we recommend that it be passed as now amended.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

Bangalore
Dated 31st March 1943

3.3.43

Proceedings of the meeting of the Select Committee on the Removal of Civil Disabilities Bill, held in the chambers of the Minister for Education, on 31st March 1943 at 1-30 P.M.

---

resent.

1. Mr. J.Mahomed Imam (Chairman)
2. " R.Chennigaramiah
3. " S.Narayana Rao (Nanjangud)
4. " Belur Srinivasa Iyengar
5. " A.K.Jayamuthu Raju
6. " O.S.Nasrulla Sheriff
7. " C.Lakshmana Gowda
8. " M.Venkatesa Iyengar
9. " A.R.Wadia
10. " M.Ramachandra Rao Sindia
11. " B.Krishna Bhatta
12. " B.S.Puttaswamy
13. " C.Narayanaswamy Naidu
14. " L.S.Raju.

Preamble. Mr. M.Venkatesa Iyengar: I suggest the inclusion of "to" before "ideas of justice".

This was agreed to.

Clause 3. Mr. L.S.Raju: "commonly" may be introduced between "class" and "known".

This was agreed to.

Mr. M.Venkatesa Iyengar: "Public Office" includes all kinds of offices which we have in mind. There is no law anywhere saying that Harijans shall not be appointed to this office or that office. There is no disability for the Harijans as such. Then why should we assume and legislate for it?

Mr. L.S.Raju: Legislation is resorted to to obviate a prohibition.

Chairman: So far as a Government office is concerned they are not disabled from being appointed.

Mr. M.Venkatesa Iyengar: "Public Office" is an office ~~something~~ under ~~weilded by~~ Government or an institution under Self-governing ~~Government~~ like Municipalities, District Boards etc. Is there anything anywhere which suggests that because one belongs to a particular community he shall not be appointed? There

Mr. A.R.Wadia: There is no law in Mysore...

well (other than a pond or well which belongs exclusively to a Hindu temple and to which at present there is no access to the above classes)"

This was accepted.

Mr. M.Venkatesa Iyengar: I want "Hindu" to be put after "other" and before "classes and communities". and that the words of Hindu after 'communities' be omitted.

This was agreed to.

Mr. A.K.Jayamuthu Raju: What is the penal law if this is not followed?

Mr. L.S.Raju: This is only. You can go to a court and claim damages.

The Committee rose for lunch at 3 P.M. and dispersed after lunch.

Members of the Select Committee on the REMOVAL OF CIVIL DISABILITIES BILL.

1. Chairman
2. Mr. Belur Srinivasa Iyengar
3. Mr. R. Chinnigaramiah
4. Mr. S. Narayana Rao
5. Mr. A. K. Jayamuthu Raju
6. Mr. O. S. Nasrulla Sheriff
7. Mr. C. Lakshmana Gowda
8. Mr. M. Venkatesa Iyengar
9. Mr. A. R. Wadia
10. Mr. M. Ramachandra Rao Sindia
11. Mr. B. Krishna Bhatta
12. Mr. B. S. Puttaswamy
13. Mr. C. Narayanaswamy Naidu
14. Mr. L. S. Raju

C. No. .....
Ref. on Pet. No. ..... } 19 —19
App. No. .....

Dis. No. SR 48/60 C

Enclosure ..... one each .....

Dated. ..... 6/4/43 .....

Approved on.....

Copied on.....by.....

Examined on.....by.....

Signed on.....

Despatched on.....

Entered in—

Current
Petition
Appeal
} Register on.....
By...

Periodical

Reminded on.....

DRAFT.

To

The

Docket Abstract.

Sir,

I have the honour to forward herewith a copy of the Report of the Select committee on the Removal of Civil ~~of~~ Disabilities Bill and to request that the same may kindly be returned to this Office, after approval, at an early date

I have the

HKR

Secretary to the Select committee

6-4-43

05043—GPB—30,000—30-12-41

Forwarded to
(1) Mr. R. Thirumalaramaiah
(2) " S. Narayana Rao
(3) " Bellur Srinivasa Iyengar

Fair copy

CONFIDENTIAL OF THE HON'BLE THE MAHARAJA OF MYSORE.

Office of the Secretary,
Representative Assembly and Legislative Council
Bangalore, dated 10th April 1942.

From

The Secretary,
Representative Assembly and Legislative Council, Bangalore.

To

The Members of the Select Committee

Sir,

I have the honour to forward herewith a copy of the Report of the Select Committee on the Removal of Civil Disabilities Bill and to request that the same may kindly be returned to this office, after approval, at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

BNR

Secretary,
Representative Assembly and Legislative Council and Select Committee on the Removal of Civil Disabilities Bill.

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

2. We have carefully scrutinized the provisions of the Bill but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'.

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

C. No. .....
Ref. on pet. No..... } 19 —19
App. No.....

Dis. No. 5884354

Enclosure .....

Dated 27/4/43

Approved on .....

Copied on .....by.....

Examined on.....by.....

Signed on .....

Despatched on ....

Entered in—

Current
Petition
Appeal
} Register on.....
By.....

Periodical

DRAFT.

To

The

Docket Abstract.

Sir,

I have the honour to
invite your attention to the
copy of the Report of the Select
committee appointed to consider
the Removal of Civil Disabilities
Bill forwarded along with this
Office letter No 5448-60/Leg dated
April 1943, and to request
that the same may be returned
to this office very early
with your approval thereof.

I have the

By Secretary
to
the Select committee

Forwarded to
1) Mr. R. Channigaramiah

05043—GPB—80,000—30-12-41

BVN 24/4.

(1) Mr. B. Ekambara Srinivasa Iyengar

(3) " A. K. Jayamuthu Raju

(4) " M. Venkatesa Iyengar

(5) " B. S. Puttaswamy

1. THE REMOVAL OF CIVIL DISABILITIES BILL.

Statement of Principles.

1. The Bill has been drafted on the lines of the Madras Removal of Civil Disabilities Act, XXI of 1938.

2. The Bill is of a negative character and does not impose any penalty for the practice of Untouchability.

3. The Bill is intended to withdraw the sanction of law for the custom of Untouchability in regard to civil matters only.

4. The Bill is not intended to affect the existing custom or usage in respect of Harijans, entry into and offering worship in Hindu Temples.

5. The Bill is intended to take away the power of the Courts and public or local authorities to recognise the custom of Untouchability in all civil matters.

THE REMOVAL OF CIVIL DISABILITIES BILL.

A Bill to provide for the removal of civil disabilities among certain classes of Hindus.

Whereas it is increasingly felt by the Hindu community that the disabilities which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes, and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced;

It is hereby enacted as follows:—

1. This Act may be called the Removal of Civil Disabilities Act, 194 ;

2. It extends to the whole of Mysore;

3. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall, by reason merely of his belonging to any particular community or class known as Harijans, Untouchables, Depressed Class or the like, be prevented or disabled from being appointed to any Public Office or enjoying or having access to any public stream, river, well, tank, pathway, Sanitary convenience or means of transport or any secular institution which the general public belonging to all other classes and communities of Hindu have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for, out of the funds of the State or Local authority; and no Civil, Criminal or Revenue Court in adjudicating any matter or executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognize any custom, usage or prescription under which it is sought to impose any civil disabilities on any person by reason of his belonging to any of the classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

Proposed by:—

Mr. L. S. RAJU, M.A. (HONS.), B.L.,
Member, Legislative Council.

3526 Lc

...A OF MYSORE. THE MAHARAJA OF MYSORE.

Sl 48-60 Lc

From

Office of the Secretary,
Representative Assembly and Legislative Council
Bangalore, dated 16th April 1945.

To

The Secretary,
Representative Assembly and Legislative Council, Bangalore.

To
C. Narayanaswami Naidu, Esq., B.A., B.L.,
Secretary to Government, Law Department, and
Member, Mysore Legislative Council, Bangalore.

Sir,

I have the honour to forward herewith a copy of the Report of the Select Committee on the Removal of Civil Disabilities Bill and to request that the same may kindly be returned to this office, after approval, at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

B. Ramakrishnaiya

Secretary,
Representative Assembly and Legislative Council and Select Committee on the Removal of Civil Disabilities Bill.

OFFICE OF THE SECRETARY
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

(iii) We recommend that the word'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'.

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in line 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

KSH/-

3523(c)

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

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ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

OFFICE OF THE SECRETARY
MYSORE
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

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(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

A. B. Iyengar

Tenants

18-4-43

12-6-43

3535de

No. 772 / Emi: one

Office of the Advocate-General
in Mysore,
Bangalore, dated 13th April 1943.

From

C.Lakshmana Gouda, Esq., B.A., B.L.,
Advocate-General
in Mysore, BANGALORE.

OFFICE OF THE SECRETARY
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL
13 APR 1943

To

The Secretary,
Representative Assembly
and Legislative Council,
BANGALORE.

Sir,

I have the honor to return herewith, duly approved, the report of the Select Committee on the Removal of Civil Disabilities Bill received with your letter No.5448-60/L.C. dated the 10th April 1943.

I have the honor to be,
Sir,
Your most obedient servant,

C Lakshmana Gouda

Advocate-General.

13.4.43

CSN.

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

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(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

Appd.
Chakravarti Iyengar
12/5/43

KSH/-

3548 dc

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

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(iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

OFFICE OF THE SECRETARY
MAY
3
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'.

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1962.

approved & returned
M Ramachandra Rao Sinha
12.4.63

15.4.63

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

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3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the Official Gazette in English and Kannada on 24th December 1942.

Approved
14/4/43.

KSH/-

3547 dc.

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

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OFFICE OF THE SECRETARY
1942
13
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL.

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3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

Approved & returned with thanks.

April 13th, 1943
D. Umar Sheriff Rao
Bangalore City

Member
Select Committee.

KSH

3558 / L.C.

Tel. Address :
EDUCATION.

DEPARTMENT OF PUBLIC INSTRUCTION

Postal Address :
POST BOX No. 49.

D. O. No. P.S. 675 of 42-43E.

Rajasevasakta
A. R. WADIA, B.A. (Cantab), Bar.-at-Law,
Director of Public Instruction

OFFICE OF THE SECRETARY
REPRESENTATIVE AND LEGISLATIVE COUNCIL
MEMBERS
19 APR 1943

BANGALORE,

Dated 15th April *1943.*

Dear Sir,

With reference to your letter No.5448-604 of the 10th inst., I ~~xxxxxxxxxxxxxxx~~ return herewith the Report of the Select~~ion~~ Committee on the Removal of Civil Disabilities Bill duly approved

Yours sincerely,

A. R. Wadia

The Secretary,
R.A. & L.C., Bangalore.

REPORT of the Select Committee on the Removal of Civil Disabilitie Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report:--

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3. As the changes made by us are mostly of a verbal characte intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

Director of Public Instruction in Mysore,
BANGALORE

KSH/-

3702/L.C.

Bangalore
D/ 5. 5. 1943

OFFICE OF THE SECRETARY
MAY 1943
REPRESENTATIVE ASSEMBLY
AND LEGISLATIVE COUNCIL

To

The Secretary,
Representative Assembly
and Legislative Council
Bangalore

Sir,

I have the honour to forward herewith, duly approved, a copy of the Report of the Select Committee on the Removal of the Civil Disabilities Bill, as desired in your letter No 5448-60/L.C. D/ 11th April 1943.

I. T. O.

I have the honour to be,
Sir
Your most obedient Servant
A. Lo. Jayamuthaiah
Member, Legislative
Council
Doddapalya
Mysore Road
Bangalore.

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

(iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other tha a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tan

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

3/5/43

KSH

3826/2.C

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

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OFFICE OF THE SECRETARY
11 MAY 1943
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

In accordance with Rule 71 the copy of the report of the Select Committee on the Removal of Civil Disabilities Bill after my approval.

R. Shanmugaram Chetty
Chairman
10/5/43

KSH

65-1/M

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letter of the expression "Public Office" may be in small letters and not in capital letters.

iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

5. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

Approved
Behram Saunderstan
10/5/43

OFFICE OF THE SECRETARY
12 MAY 1943
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

KSH

Report of the Select Committee

On

The Removal of Civil Disabilities Bill.

We, the undersigned members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have considered the Bill and have now the honour to submit this, our Report, with the Bill as amended by us annexed thereto:

We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.-- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause 3.--(i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 6, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

(iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words "pond, well" and before the word "tank".

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words

'of Hindu' after 'communities' in lines 9 and 10.

2. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

3. We think that, as the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill, and we recommend that it be passed as now amended.

Bangalore,

Dated 31st March 1943.

approved
B.B. Puttaswamy
18/5

1943

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Office of the Secretary,

Representative Assembly and Legislative Council.

No. 6270-73 *Bangalore Dated, 1st May 1943.*

OFFICE OF THE SECRETARY
Rr.2.N.
14 MAY 1943
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

FROM

The Secretary,
Representative Assembly and Legislative Council.

To

M. Venkatesa Iyengar, Esq., M.A., (on leave).
Excise Commissioner in Mysore, Bangalore.

SIR,

Subject:-
"Report of the Select Committee on the Removal of Civil Disabilities Bill

I have the honour to invite your attention to the reminder issued from this office, No.5831-85/L.C. dated 27th April 1943, on the above subject, and to request you to kindly return the said report to this office very early with your approval thereto.

I have etc.,
For Secretary
to the Select Committee.

Reply.

PP4.
With Compliments
I agree to this report
M. Venkatesa Iyengar
Bangalore 11.5.43

M. Venkatesa Iyengar, Esq., M.A., (Alumni).
Executive Commissioner in Mysore & Bangalore.

Please the honour to invite your attention to the
reference received from this office, No.5881-85/L.C. dated
27th April 1942, on the above subject, and to request you to
kindly return the said report to this office very early,
with your opinion thereto.

Yours obs.,

for Secretary
to the Select Committee.

REPORT of the Select Committee on the Removal of Civil Disabilities Bill.

We, the members of the Select Committee to which the Removal of Civil Disabilities Bill was referred, have the honour to make the following report.

2. We have carefully scrutinized the provisions of the Bill, but have not thought it necessary to make any elaborate changes.

Preamble.- We recommend that in the last but one line, the word 'to' may be added between 'and' and 'ideas'.

Clause 3.- (i) We recommend that the word 'commonly' may be added between 'class' and 'known' in lines 3 and 4.

(ii) We recommend that in line 3, the first letters of the expression "Public Office" may be in small letters and not in capital letters.

(iii) We recommend that the word 'pond' may be added between 'river' and 'well' in line 7.

(iv) It is not the intention of the present Bill to affect the usage of temples; and to make this perfectly clear, and at the same time to see that privileges at present enjoyed by the Harijans, Untouchables and Depressed Classes are not affected, we recommend the addition in brackets of the words "other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes" after the words 'pond, well' and before the word 'tank'

(v) We recommend the addition of 'Hindu' between 'other' and 'classes' and omission of the words 'of Hindu' after 'communities' in lines 9 and 10.

3. As the changes made by us are mostly of a verbal character intended to improve the drafting of the Bill, it is unnecessary to republish the Bill.

4. The Bill was published, as required by the rules, in the official Gazette in English and Kannada on 24th December 1942.

KSH

C. No. .....
Ref. on. Pet. No. ..... } 19 —19
App. No. .....

Dis. No. 6270-734

Enclosure .....

Dated 8/5/43

Approved on .....

Copied on .....by.....

Examined on .....by.....

Signed on .....

Despatched on .....

Entered in :—

Current
Petition } Register on .....
Appeal by .....

Periodical

Reminded on .....

DRAFT.

To

Docket Abstract.

Subject "Report of the Select committee on the Removal of Civil Disabilities Bill"

Sir, I have the honour to invite your attention to this office ~~letter~~ memo of even No. dated 27-4-43 and the reminder from this office No 58 31-35 L.e. dated 27-4-43 on the above subject, and to request you to kindly return the said report to this office very early with your approval thereto.

I have the honour to be, Sir, Your obedient servant,

21. 8-5-43
BVM 8/5

8/5

WD 0970—GPB—50,000—14-10-42

Reply to the Select committee

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. Legis 17-43-1 Dated, Bangalore, 16th Aug 1943

Ordered that the accompanying Removal of Civil Disabilities Act 1943

which received the assent of His Highness the Maharaja, on the 28th day of July 1943, be published as Act No. XLII of 1943, in the *Mysore Gazette*, for general information.

Ans 6
10

~~General~~ Secretary to Government.
Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2 Copy to the Translation Section

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

ORDER NO. RL 193/Legis. 17-43-1

Dated, BANGALORE, 16th August 1943.

Ordered that the accompanying Removal of Civil Disabilities Act 1943, which received the assent of His Highness the Maharaja on the 28th day of July 1943, be published as Act No. XLII of 1943 in the Mysore Gazette for general information.

Secretary to Government
Law Department.

To

The Compiler, Mysore Gazette, for publicati in Part IV of the Gazette, in English and Kannad and for supply of spare copies in English and Ka nada, as per standing orders.

Copy to the Translation Branch.

PR3/11-8

As passed by the Legislative Council on 3rd July 1943

AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined or sidelined indicate the Amendments suggested by the Committee. Omissions are indicated by asterisks].

THE REMOVAL OF CIVIL DISABILITIES BILL.

A Bill to provide for the removal of Civil Disabilities among certain classes of Hindus.

WHEREAS it is increasingly felt by the Hindu community that the disabilities which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and to ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced;

It is hereby enacted as follows:—

1. This Act may be called the Removal of Civil Disabilities Act, 194 .

2. It extends to the whole of Mysore.

3. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall, by reason merely of his belonging to any particular community or class commonly known as Harijans, Untouchables, Depressed Class or the like, be prevented or disabled from being appointed to any public office or enjoying or having access to any public stream, river, pond well, (other than a pond or well exclusively belonging to a Hindu temple and to which access is at present denied to the above classes) tank, pathway, sanitary convenience or means of transport or any secular institution which the general public belonging to all other Hindu classes and communities * * have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for, out of the funds of the State or local authority; and no Civil, Criminal or Revenue Court in adjudicating any matter or

executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognize any custom, usage or prescription under which it is sought to impose any civil disabilities on any person by reason of his belonging to any of the classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

D. H. Chandrasekharaiya 24/1/43
President
Legislative Council

Printed by the Superintendent at the Government Press, Bangalore.

[AS AMENDED BY THE SELECT COMMITTEE.

[Words underlined or sidelined indicate the amendments suggested by the Committee. Omissions are indicated by asterisks].

Act No XLVII of 1943

THE REMOVAL OF CIVIL DISABILITIES BILL. Act 1943

An Act ~~A Bill~~ to provide for the removal of Civil Disabilities among certain classes of Hindus.

(Received the assent of His Highness the Maharaja on the 28th day of Feb 1943

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executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognize any custom, usage or prescription under which it is sought to impose any civil disabilities on any person by reason of his belonging to any of the classes or communities aforesaid or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

(Sd). N. Madhava Rau

Dewan

Printed by the Superintendent at the Government Press, Bangalore.

AS AMENDED BY THE SELECT COMMITTEE.]

[Words underlined or starred indicate the Amendments suggested by the Committee. Omissions are indicated by asterisks].

Act No XLII of 1943

THE REMOVAL OF CIVIL DISABILITIES BILL. Act 1943

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(Sd) N. Madhava Rao
Dewan

Printed by the Superintendent at the Government Press, Bangalore.